

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

RICHARD WESLEY MARSHALL,

Defendants.

**8:23-CR-86**

**ORDER STAYING MAGISTRATE  
JUDGE'S RELEASE ORDER**

This matter is before the Court on the Government's Motion for Emergency Stay and for Review of Revocation of a Release Order. [Filing 100](#). The Government asks the Court to stay the order of a magistrate judge in the Central District of California releasing defendant Richard Wesley Marshall pending trial on charges of violating [21 U.S.C. § 846](#), [18 U.S.C. § 1956\(a\)\(1\)\(B\)\(i\)](#), and [18 U.S.C. § 1956\(h\)](#), and 2. *See* [Filing 75 at 1](#).<sup>1</sup> The Government requests a stay of the order while the Court conducts its *de novo* review in consideration of the Government's request for revocation of the order pursuant to [18 U.S.C. § 3145](#). [Filing 100](#). Citing to his assets and record of foreign travel, the Government maintains that Marshall is a flight risk. *See* [Filing 100 at 5-7](#).

To allow the Court time to conduct its *de novo* review, the magistrate judge's December 13, 2023, order releasing defendant Marshall will be stayed pending the Court's ruling on the Government's Motion for Revocation. *See* [18 U.S.C. § 3145\(a\)\(1\)](#); *see also* [United States v. Salazar-Andujo](#), 599 F. Supp. 3d 491, 495 (W.D. Tex. 2022) (citing [18 U.S.C. § 3145\(a\)\(1\)](#) and

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<sup>1</sup> The Superseding Indictment was filed in the District of Nebraska. [Filing 75](#). Count I of the Superseding Indictment alleges that Marshall and other conspired to distribute and possess with intent to distribute 1000 kilograms or more of a mixture and substance containing a detectable amount of marijuana and a mixture, compound, and preparation containing THC. [Filing 75 at 1](#). Count II of the Superseding Indictment alleges that the Defendant and others engaged in money laundering to conceal and disguise the nature, location, and source of unlawful activity. [Filing 75 at 2](#). Count III of the Superseding Indictment alleges that Marshall and others conspired to launder money. [Filing 75 at 2-3](#).

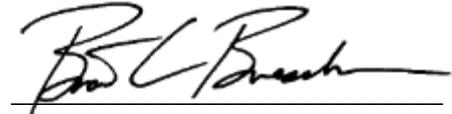
cases supporting the proposition that “the district court in the district where charges are pending can enter a stay of a release order issued by a magistrate judge of a different jurisdiction”).

IT IS ORDERED:

1. The magistrate judge’s December 13, 2023, order releasing defendant Richard Wesley Marshall is stayed pending this Court’s ruling on the Government’s Motion for Revocation, [Filing 100](#);
2. The defendant shall be detained pending further order of the Court; and
3. The Court will determine whether a hearing on the Government’s Motion is required at a later date.

Dated this 15th day of December, 2023.

BY THE COURT:



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Brian C. Buescher  
United States District Judge